

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE: LOWER MANHATTAN DISASTER
SITE LITIGATION

21 MC 102 (AKH)

ECF Cases

ALEX DAIKOKU, STANISLAW
FALTYNOWICZ, JOSEF PORGORZELSKI,
NUBIA RAMIREZ, OLANREWAJU
AYINDE, AND JAN DOBROWOLSKI

Plaintiffs,

v.

CITY OF NEW YORK, et al.,

Defendants.

Civil Action Nos. 06 cv 05342

08 cv 02616

06 cv 02748

09 cv 03101

10 cv 06867

10 cv 06859

**NOTICE OF JOINT MOTION TO DISMISS WTC CAPTIVE INSURED DEFENDANTS
FROM PLAINTIFFS' COMPLAINTS**

PLEASE TAKE NOTICE that on a day to be determined by this Court, Plaintiffs Alex Daikoku, Stanislaw Faltynowicz, Josef Pogorzelski, Nubia Ramirez, Olanrewaju Ayinde and Jan Dobrowski, ("Plaintiffs") with Defendants the City of New York, Board of Education of the City of New York, the Department of Business Services, the Department of Education of the City of New York, the New York City Fire Department, the New York City School Construction Authority, Tully Construction Company Inc., Tully Industries,¹ and Pinnacle Environmental Corp. (collectively, the "WTC Captive Insured Defendants") shall apply to the Honorable Alvin K. Hellerstein, United States District Judge, at the Southern District of New York located at 500 Pearl Street, New York, New York, Room 14-D for Orders dismissing Dismiss Plaintiffs' Claims against WTC Captive Defendants only and amending their captions.

¹ Tully Construction Co. Inc. is improperly named as Tully Industries by Plaintiffs Faltynowicz and Dobrowolski.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Plaintiffs rely upon the attached Memorandum of Law in Support of Joint Motion and its supporting documents

Dated: New York, New York
July 22, 2013

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